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May 2, 2014

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VIA CM/ECF

The Honorable Judge Mark L. Wolf
United States District Court, John Joseph Moakley Courthouse
1 Courthouse Way
Boston, MA 02210

Re: *Massachusetts Institute of Technology, et al. v. Shire Pharmaceuticals, Inc., et al.*,
Civil Action No. 13-cv-10020-MLW

Dear Judge Wolf:

We, along with Prince Lobel Tye LLP, represent defendants Shire Regenerative Medicine, Inc. and Shire Pharmaceuticals, Inc. (collectively “Defendants”) in the above-referenced action. We write pursuant to the Scheduling Order (D.I. No. 53), which requires the parties to report to the Court today regarding settlement and whether the parties wish to mediate.

Defendants, through counsel, have conferred with Plaintiffs regarding these issues. Defendants understand that Plaintiffs have not changed their settlement proposal since January 2014, when the parties last discussed the possibility of settlement. In light of this, and because Defendants remain confident that they do not infringe the asserted patents, Defendants do not believe that mediation would be productive at this time. Therefore, Defendants are willing to reconsider mediation after the parties have had more opportunity to conduct discovery.

We thank the Court for its attention and consideration of the issues raised in this letter, and we are available at the Court’s convenience to address any questions the Court may have concerning this case.

Respectfully submitted,



Edgar H. Haug, Esq.

cc: Counsel of record

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Certificate of Service

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF and paper copies will be sent to those indicated as non-registered participants on May 2, 2014.

/s/ Jonathan A. Herstoff